

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 20 October 2023

DOCKET NUMBER: AR20230003503

APPLICANT REQUESTS: Award of the Army Good Conduct Medal.

APPLICANT'S SUPPORTING DOCUMENT(S) CONSIDERED BY THE BOARD:

- DD Form 149 (Application for Correction of Military Record)
- Email
- DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge)
- Social Security Card

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10, U.S. Code, section 1552(b); however, the Army Board for Correction of Military Records (ABCMR) conducted a substantive review of this case and determined it is in the interest of justice to excuse the applicant's failure to timely file.
2. The applicant states he believes the Army Good Conduct Medal was overlooked when he was discharged. He was Soldier of Month when he was assigned to Vietnam with the 173rd Airborne [Brigade]. He also received the Bronze Star Medal with Oak Leaf Cluster.
3. The applicant's enlisted in the Regular Army on 28 September 1965 and held military occupational specialty 12B (Combat Engineer).
4. His DA Form 20 (Enlisted Qualification Record) shows he served in the Republic of Vietnam from on or about 17 July 1967 to 11 July 1968 while assigned to the 173rd Engineer Company, 173rd Airborne Brigade. This form also shows he received all excellent conduct and efficiency ratings.
5. The applicant's record is void of unfavorable information or a unit commander's disqualification that would have precluded him from being recommended for or awarded the Army Good Conduct Medal.

6. On 12 July 1968, he was honorably released from active duty after completing 2 years, 9 months, and 15 days, and was transferred to the U.S. Army Reserve Control Group (Reinforcement) to complete his remaining Reserve obligation. Item 24 (Decoration, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized) of his DD Form 214 shows the National Defense Service Medal, Sharpshooter Marksmanship Qualification Badge Rifle (M-14), Expert Marksmanship Qualification Badge Rifle (M-16), Parachutist Badge, Combat Infantryman Badge, Vietnam Service Medal, Vietnam Campaign Medal, and Bronze Star Medal with Oak Leaf Cluster.

7. The applicant's record contains orders from Headquarters, United States Army Vietnam, dated 1 June 1968, showing his unit 173rd Engineer Company was awarded the Meritorious Unit Commendation for service from 1 January 1967 to 31 December 1967 by Department of the Army General Orders (DAGO) 2648, dated 1968.

8. His DD Form 214 does not show award of the Meritorious Unit Commendation. This award is further addressed in the Administrative Notes portion of these proceedings.

9. Army Regulation 672-5-1 (Awards), in effect at the time, states the Army Good Conduct Medal was awarded for each 3 years of continuous enlisted active Federal military service completed on or after 27 August 1940; for first award only, 1 year served entirely during the period 7 December 1941 to 2 March 1946; and, for the first award only, upon termination of service on or after 27 June 1950 of less than 3 years but more than 1 year. The enlisted person must have had all "excellent" conduct and efficiency ratings.

BOARD DISCUSSION:

1. After reviewing the application and all supporting documents, the Board found that relief was warranted. The Board carefully considered the applicant's request, supporting documents, evidence in the records and regulatory guidance. Based on the documentation available for review, the Board found that as he received "excellent" conduct and efficiency ratings throughout his service and, in the absence of evidence that would otherwise make him ineligible, his record should be corrected to show the award of the Army Good Conduct Medal (1st Award).

2. Prior to closing the case, the Board did note the analyst of record administrative notes below, and recommended the correction is completed to more accurately depict the military service of the applicant.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

█	█	█	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The Board determined the evidence presented sufficient to warrant a recommendation for relief. As result, the Board recommends that all Department of the Army records of the individual concerned be corrected by

- awarding him the Army Good Conduct Medal (1st Award) for the period 28 September 1965 - 12 July 1968
- adding the award to his DD214 dated 12 July 1968

3/20/2024

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I certify that herein is recorded the true and complete record of the proceedings of the Army Board for Correction of Military Records in this case.

ADMINISTRATIVE NOTE(S):

A review of the applicant's service record shows his DD Form 214, item 24 should be amended by adding the Meritorious Unit Commendation.

REFERENCES:

1. Title 10, U.S. Code, section 1552(b), provides that applications for correction of military records must be filed within 3 years after discovery of the alleged error or injustice. This provision of law also allows the ABCMR to excuse an applicant's failure to timely file within the 3-year statute of limitations if the ABCMR determines it would be in the interest of justice to do so.
2. Army Regulation 672-5-1 states the Army Good Conduct Medal was awarded for each 3 years of continuous enlisted active Federal military service completed on or after 27 August 1940; for first award only, 1 year served entirely during the period 7 December 1941 to 2 March 1946; and, for the first award only, upon termination of service on or after 27 June 1950 of less than 3 years but more than 1 year. The enlisted person must have had all "excellent" conduct and efficiency ratings.

//NOTHING FOLLOWS//